

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/01/2002

10/29/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

FILED: _____

STATE OF ARIZONA

NOEL J R LEVY

v.

PETER JAMES LITTLE

DENNIS C JONES

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 13

10:30 a.m. Trial to jury continues from 10/28/2002.

State's Attorney:	Noel J. R. Levy
Defendant's Attorney:	Dennis C. Jones
Defendant:	Present
Court Reporter:	Rick Gaio

The jury is not present.

For consistency in the record,

IT IS ORDERED that exhibits 203 and 52 are received in evidence; they are not to go in to the jury during deliberations. Exhibit 171 is also not to go in to the jury during deliberations.

Counsel for the Defendant moves for a mistrial.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/01/2002

10/29/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

Argument is heard.

Defendant's motion for mistrial is denied.

Discussion is held regarding scheduling. The Court sets time limits for closing arguments of one and one-half hours each side.

10:47 a.m. The jury is now present.

Counsel for the State having been permitted to call a rebuttal witness out of order, Peter William Martin, Jr., is sworn and testifies.

The Court receives a written question from the jury. Court and counsel discuss the question.

State's exhibit 210 is marked for identification.

The Court conducts an additional bench conference regarding jury question 49, as set forth on the record.

Upon stipulation of counsel,

Exhibit 210 is received in evidence.

Answers and follow-up questions are provided through further testimony of the witness.

The witness is excused.

11:52 a.m. The jury leaves the courtroom, and Court remains in session.

Counsel for the State requests that the Court permit information contained on the reverse side of exhibit 210 to be masked out.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/01/2002

10/29/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

There being no objection by the Defendant, counsel for the State may mark out or mask out the information on the reverse side of exhibit 210. The Court suggests that counsel for the State simply make a copy of exhibit 210 to substitute for the original photograph.

IT IS ORDERED releasing exhibit 210 to counsel for the State for the purpose of making a copy of the exhibit, to be returned on 10/29/2002 at 1:30 p.m.

At the request of counsel for the Defendant and there being no objection by the State,

IT IS ORDERED releasing exhibits 74, 75, 95, 96, and 201 for the purpose of copying for counsel for the Defendant's PowerPoint presentation during closing arguments, to be returned on 10/29/2002 at 1:30 p.m.

ISSUED: Exhibit Release Forms (2)

12:00 p.m. Court stands at recess.

Exhibit 210 is returned by counsel.

As previously discussed,

IT IS ORDERED substituting a copy of exhibit 210 for the original photograph marked as exhibit 210.

ISSUED: Exhibit Release Form (1)

Exhibits 74, 75, 95, 96, and 201 are returned by counsel.

1:35 p.m. Court reconvenes.

State's Attorney:	Noel J. R. Levy
Defendant's Attorney:	Dennis C. Jones
Defendant:	Present

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/01/2002

10/29/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

Court Reporter: Rick Gaio

The jury is not present.

Discussion is held regarding the unavailability of Christy Vaughn.

Counsel reach a stipulation regarding the testimony of Christy Vaughn.

1:43 p.m. The jury is now present.

Defendant's case:

The jury is advised of the stipulation of counsel regarding of Christy Vaughn.

Defendant's exhibit 95 is received in evidence.

Terry J. Horrall is sworn and testifies.

State's exhibit 92 is received in evidence.

The witness is excused.

Portions of the deposition of Heather DuPont dated 10/09/2002 are read to the jury.

The Court conducts a bench conference regarding exhibit 194, as set forth on the record.

2:36 p.m. Court stands at recess.

2:54 p.m. Court reconvenes.

State's Attorney: Noel J. R. Levy
Defendant's Attorney: Dennis C. Jones
Defendant: Present

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/01/2002

10/29/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

Court Reporter: Rick Gaio

The jury is not present.

The deposition of Heather DuPont is provided for filing.

2:56 p.m. The jury is now present.

Portions of the transcript of Myrna Parker dated 08/22/2002 are read to the jury.

Defendant's exhibit 96 is received in evidence.

Steve Orona resumes the stand and testifies further.

The Court conducts a bench conference regarding a foundational objection to a question asked of the witness, as set forth on the record.

The Court receives a written questions from the jury. Court and counsel discuss the questions, and answers are provided through further testimony of the witness.

3:41 p.m. The jury leaves the courtroom, and Court remains in session.

After a discussion off the record, the Bailiff is directed to advise the jury to return at 10:30 a.m. on 10/30/2002.

Instructions and verdicts are discussed.

4:04 p.m. Court stands at recess until 10:30 a.m. on 10/30/2002.

FILED: Jury Notes (3); Deposition of Heather DuPont dated 10/09/2002